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**To:** Microsoft ATR  
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**Subject:** Microsoft Settlement

The proposed settlement is not a useful and appropriate remedy for the problems caused by Microsoft's abuse of monopoly powers.

Specifically, the settlement does nothing to address the needs of software developers who have been forced to work against Microsoft's privileges.

Any effective remedy must remove the barriers which Microsoft erected through unlawful actions.

At a minimum, Microsoft must:

- be required to compete on a fair and level playing field with all other software developers. This requires Microsoft to accurately and completely divulge all Application Programming Interfaces (APIs), Application Binary Interfaces (ABIs) and all document interchange formats and protocols, and to make these specifications public at the same time that any Microsoft product which uses them is released.
- be required to pay a restitutional fine proportionate to the excess profits Microsoft made as a result of their illegal actions.
- be required to pay a punitive fine proportionate to Microsoft's current net worth.
- be ineligible to sell or give any Microsoft software product to any Government entity for a period of time equal to the period of time in which Microsoft committed illegal actions.
- be held on probation for 10 years, during which time any further illegal activity by Microsoft would result in the immediate suspension of Microsoft's corporate charter.

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